EXIDE CORPORATION

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AIRBORNE-EXPRESS- RETURN RECEIPT REQUESTED

September 5, 1991

Mr. Michael H. Gilbert
Project Manager
Southern New Jersey Compliance Section
U.S. Environmental Protection Agency
Region II
Jacob K. Javits Federal Building
New York, NY 10278

RE: NL Industries, Inc. Site
Pedricktown, New Jersey

Dear Mr. Gilbert:

Exide Corporation is in receipt of your letters dated September 24, 1990 and January 24, 1991 which provide analytical information regarding materials which are stored at the NL Industries, Inc. site in Pedricktown, New Jersey. In addition, Exide Corporation has also received your letter of July 16, 1991 which summarizes the options which EPA has considered for early remedial action at the site and which also documents EPA's proposed plan for addressing several areas of surface contamination.

At the outset of our response to your letters, Exide Corporation wishes to advise your office that Exide is participating with a number of other companies who are also intending to provide additional comments to your office about EPA's proposed early remedial plan. Exide Corporation's comments in this letter, therefore, should be viewed as a supplement to the information in that letter. In this letter, Exide Corporation intends to focus specifically on several portions of the early remedial plan and the potential for secondary lead smelters to reclaim materials from the NL site. Exide Corporation has not responded to your earlier letters due to the previous litigation with NL regarding the Pedricktown site and due to other on-going efforts at other former NL facilities throughout the United States.

Exide submits these comments, and is participating with other parties in the submission of joint comments, because it has a general interest in seeing that all proposed response actions, as identified by EPA at this and other sites, are protective of human health and the environment while remaining cost effective. Exide also has a direct interest in the remedy for this site because EPA may consider using Exide secondary lead smelter facilities for managing the waste material at the site. Exide has also been identified by EPA as a potentially responsible party. Exide specifically denies any and all liability for response actions at

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the site and reserves all available rights and privileges that may be asserted in defense of any allegations of such liability.

With respect to the information contained in your letters of September 24, 1990 and January 24, 1991, Exide Corporation wishes to provide the following comments:

1. The lead concentrations in some of the on-site materials are sufficiently high to allow for consideration to be given to the recycling of some of these materials at secondary lead smelters. A listing of secondary lead smelters in the United States is attached.

2. The Exide/General Battery Corporation facility in Reading, Pennsylvania is a RCRA permitted treatment and storage facility, permitted under U.S. EPA ID# PAD990753089 by the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Resources in November 1988. In addition, the Exide/GBC Reading facility also operates under appropriate authorizations and permits for air emissions and discharge of treated wastewater. Additional analytical information would be needed for Exide/GBC to evaluate the feasibility of recycling these materials and to evaluate the costs associated with this activity. Other details related to packaging of the materials at the NL site, loading, and transportation would also need to be known before the costs could be assessed.

   Exide understood that the previous EPA requests for "utilization" of the NL materials were based on the need for Exide to load and transport the materials, to pay the costs for recycling the materials, and to pay the costs for disposal of byproducts generated from recycling operations. Under this scenario, this office does not believe that recycling would have been economically viable to Exide Corporation. If EPA is willing to reimburse Exide to help defray our recycling expenses, Exide Corporation is willing to discuss this matter. Exide believes that recycling is an option which will be more environmentally acceptable and less costly than stabilization with long term storage or disposal.

   Page 1-5 of the EPA Focused Feasibility Study indicates that EPA made several inquiries to parties that may have been interested in removing the slag for recycling and that "...no positive responses were received, primarily due to the low lead content of the slag and lead oxide piles." In Exide Corporation's case, this is not an accurate statement.

3. As you may also know, Exide Corporation and the Center for Hazardous Materials Research (CHMR), Pittsburgh, Pennsylvania, have recently received authorization, through the EPA SITE Emerging Technology Program, to investigate the potential for utilizing secondary lead smelters for the recovery of lead from materials removed from Superfund sites. As part of the effort with CHMR, it is anticipated that the Exide/GBC Reading, Pennsylvania facility will be utilized to investigate the recovery of lead from a diverse variety of materials.

   Exide Corporation has recently received authorization from EPA Region III for the removal of five loads of battery case materials from the Tonolli Corporation Superfund site in Nesquehoning, Pennsylvania, an activity which has been scheduled to begin on September 5, 1991. The test of the Tonolli materials represents the first actual test which Exide/GBC will conduct of materials from an NPL site, despite the fact that the processing of materials from the Brown's Battery site and the Hebelka site, both in Pennsylvania, have already been discussed with Region III personnel. Exide Corporation is willing to initiate further activities with EPA Region II to determine the feasibility of recycling materials from the NL Pedricktown site.

With respect to the information in your letter of July 16, 1991 regarding the proposed plan for early remedial action for operable unit two at the NL Pedricktown site, Exide Corporation provides the following comments:

STANDING WATER AND SEDIMENTS

1. If treatability studies have not been conducted as noted in the discussion of alternative SW-2, Exide Corporation questions whether EPA has considered all available and appropriate options for treatment and management of standing water and wastewater. Have options for treatment of water been considered with possible discharge into the sanitary sewer in lieu of groundwater recharge? (Table 6-1 of the June 8, 1990 Final Removal Action/Feasibility Study Report prepared by Roy F. Weston, Inc. suggests the option of local sewer discharge). Have potential options for recycling of contaminated sludges and sediments been considered?

SLAG AND LEAD OXIDE PILES

1. Exide Corporation does not understand EPA's basis for comparing lead levels in slag to EPA's Interim Guidance on Establishing Soil Lead Clean-up Levels in residential soils at Superfund Sites.

2. While EPA has considered treatment options such as flame reaction, hydrometallurgical leaching, and solidification/stabilization (options SP-3, SP-4, and SP-5, respectively) for the slag and lead oxide, recycling through a secondary lead smelter has not been fully considered. As noted in the discussion above, Exide Corporation believes that, because of the lead content in these materials, some of them may be recyclable and further consideration of this option is warranted.

3. As noted in the EPA third-third land disposal restrictions published in the Federal Register on June 1, 1990, the U.S. EPA has acknowledged that inorganic solid debris which exhibits a toxicity characteristic represents a unique treatability group of materials due to the inherent difficulties in stabilizing these wastes. In fact, the Agency recognized the inherent difficulties associated with stabilization and subsequently issued a National Capacity Variance until May 1992. The EPA statements and alternative SP-5 which indicate that "bench-scale tests would be required" to evaluate this option, suggest that EPA may not have considered the potential need to process the slag prior to stabilization, to control dust from this operation, and/or to properly collect and treat wastewater which may be generated. In addition, the agency appears to have selected this option without bench-scale tests and thus with little, if any, knowledge about the amount of solidification agents which would be needed to stabilize these materials. Given the potential uncertainties associated with the feasibility and costs associated with this option, it is suggested that bench-scale tests be conducted to evaluate this option against the potential recycling alternative. Indeed, it may also be necessary to perform independent evaluations on the slag and lead oxide as the results of the evaluations may be different.

DEBRIS AND CONTAMINATED SURFACES

1. Exide Corporation questions whether the EPA has fully evaluated all options associated with debris and contaminated surfaces and whether all of this work is required at this time.

Has consideration been given to the potential future need to reclean the facility if subsequent remedial activities at the site result in recontamination of surfaces? Has adequate consideration been given to possible recycling of dust, lead dross, scrap metal, and other materials which may be generated from these activities?

2. Alternative CS-2 notes that "debris that could not be decontaminated, such as contaminated baghouse bags, along with collected dust, would be transported to an appropriate off-site RCRA hazardous waste treatment and disposal facility". Exide Corporation believes that baghouse dusts, as well as baghouse bags from a secondary lead smelter, are classified as K069 listed wastes pursuant to EPA regulations under the Resource Conservation and Recovery Act. The EPA land disposal restrictions prohibit the disposal of these types of materials and mandate thermal recovery (i.e., secondary lead smelting). EPA's proposed plan with respect to the disposal of baghouse dusts and baghouse bags, therefore, is a violation of RCRA.

Exide Corporation appreciates the opportunity to provide comments on EPA's proposed early remedial action plan and also on your letters which had previously been submitted to this office. In addition, Exide Corporation looks forward to the reopening of discussions with EPA personnel regarding the potential recycling of materials from the site at the Exide/General Battery Corporation facility in Reading, Pennsylvania or at other authorized secondary lead recycling facilities.

Should additional information or clarification be required or should you wish to discuss this matter in further detail, please contact this office at (215) 378-0852.

Very truly yours,

EXIDE CORPORATION

Jeffrey A. Leed/di

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Director - Environmental Resources

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